

ASSIGNED

AMENDED

Serial No. 52445

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office. AUG 26 1988  
 Returned to applicant for correction. OCT 11 1988  
 Corrected application filed. NOV 22 1988 Map filed NOV 22 1988 under 52444

The applicant Kennecott Explorations (Australia), Ltd.

Post Office Box 2490 of Fallon  
Street and No. or P.O. Box No. City or Town  
Nevada (89406) hereby make application for permission to change the  
State and Zip Code No.

Point of Diversion  
Point of diversion, manner of use, and/or place of use  
 of water heretofore appropriated under Permit No. 48079  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

- The source of water is Underground  
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 4.46 second feet  
Second feet, acre feet. One second foot equals 448.3 gallons per minute.
- The water to be used for Mining, Milling and Domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for Mining, Milling and Domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 26, T13N, R32E, MDM  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.  
or at a point from which the Northeast corner of said Section 26  
bears, N 11° 18' E a distance of 3,365 feet.
- The existing permitted point of diversion is located within NE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 35, T13N, R32E, MDM, or at a point from which the Northeast corner of Section 26, T13N, R32E, MDM bears, N 28° 26' E a distance of 7200.0 feet.  
If point of diversion is not changed, do not answer.
- Proposed place of use SE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 8, T13N, R32E, MDM  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use SE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 8, T13N, R32E, MDM  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day
- Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled and cased well, submersible pump, booster pump and pipeline to mine reservoir from makeup water.  
State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works \$1,200.00
- Estimated time required to construct works Two Years

14. Estimated time required to complete the application of water to beneficial use Ten Years
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Milling and Mining - Domestic Use, 50 acre feet per year. Mining and Milling - Heap Leach Pads, 3,000 acre feet per year. Mining and Milling - Metallurgical Processing, 200 acre feet per year. The applicant will utilize conservation methods whenever possible. The total rate of 4.46 second feet may be combined with diversions from two other wells. The total diversion will not exceed 3205 acre feet per year.

/s/ M. Naseem Mian M. Naseem Mian  
By 590 S. Maine, P.O. Box 2490  
Fallon, NV. 89406

Compared mm/ kh pm/se

Protested \_\_\_\_\_

APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 48079 is issued subject to the terms and conditions imposed in said Permit 48079 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 47706, 52444 and 52445 shall not exceed 1,026 million gallons annually.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under (CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.46 cubic feet per second, but not to exceed 1,026 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before March 22, 1989

Proof of completion of work shall be filed before April 22, 1989

Application of water to beneficial use shall be made on or before March 22, 1990

Proof of the application of water to beneficial use shall be filed on or before April 22, 1990

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed \_\_\_\_\_ IN TESTIMONY WHEREOF, I PETER G. MORROS,

Proof of beneficial use filed \_\_\_\_\_ State Engineer of Nevada, have hereunto set my hand and the seal of my

Cultural map filed \_\_\_\_\_ office, this 8th day of March,

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_ A.D. 19 89

*[Signature]*  
State Engineer

WITHDRAWN BY agent MAY 02 1995  
*[Signature]*  
STATE ENGINEER

(PERMIT TERMS CONTINUED)

this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.



100

